

PAUL J. DUTRA, CA Bar No. 046294
 GLORIA M. OATES, CA Bar No. 119222
DUTRA & OATES
 2377 Gold Meadow Way, Suite 215
 Gold River, CA 95670
 Telephone: (916) 526-2797
 Fax: (916) 526-2799
 [pj Dutra@jps.net]

Attorneys for Claimant,
 UMPQUA BANK

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ONE (1) 2008 Toyota Tundra, (VIN
 #5TFDV58108X050994), et al.

Defendants.

No. 12-1439 MMC

**STIPULATION ON MOTION FOR
 INTERLOCUTORY PUBLIC
 JUDICIAL SALE AND ORDER
 THEREON**

The Motion For Interlocutory Public Judicial Sale brought jointly by Plaintiff, United States of America, and claimant Umpqua Bank, was heard by the honorable Maxine M. Chesney, United States District Judge, on the date and time noticed for the hearing. Counsel for each of the parties appeared and submitted arguments to the Court. Prior to the submission of final arguments to the Court for a ruling on the Motion, counsel reached the following Stipulation (capitalized terms not defined in this Stipulation are defined in the Motion):

STIPULATION

1. Matthew Graves shall pay to Umpqua Bank, for application to the Loan, delinquent interest on the Loan accrued to October 1, 2013, in the amount of \$3,803.23, such payment to be made prior to November 1, 2013.

2. Matthew Graves shall pay to Umpqua Bank, for application to the Loan, \$1,000.00 per month, beginning November 1, 2013, and on the first day of each month thereafter

until resolution of this matter, further written agreement of the parties, or further order of the Court. Payments are to be delivered to the following address or to such other address as may be designated in writing by Umpqua Bank:

Umpqua Bank
1790 NW Garden Valley Blvd
Roseburg, OR 97470
Attn: Sam Archambault
Special Assets Department

3. Payments received by Umpqua Bank pursuant to this Stipulation shall be applied to the Loan in accordance with the terms of the Note.

4. The acceptance of payments by Umpqua Bank shall not constitute an implied extension, modification or restructure of the Loan or any of the loan documents , or a cure of the events of default under the terms of the loan documents.

5. Prior to December 15, 2013, Matthew Graves shall pay current all real property taxes due to the County of Mendocino on real property commonly know as 6969 Foster Creek Road, Leggett, CA 95585, APN 012-690-50. Evidence of payment shall be provided to counsel for the Plaintiff and to counsel for the Bank.

6. This Stipulation is without prejudice to the right of any party to seek further relief from the Court at any time during the pendency of this matter.

7. The Motion For Interlocutory Public Judicial Sale is withdrawn without prejudice to right of the Plaintiff and/or Umpqua Bank to bring another motion for interlocutory sale at any time during the pendency of this matter.

Dated: October 16, 2013

MELINDA HAAG
United States Attorney
By: /s/Arvon J. Perteet
ARVON J. PERTEET
Assistant United States Attorney
Attorney for Plaintiff

October 16, 2013

By: /s/ Paul J. Dutra
PAUL J. DUTRA
Dutra & Oates
Attorneys for Claimant
UMPQUA BANK

1 October 16, 2013

By: /s/ David M. Michael
DAVID M. MICHAEL
Attorney for Claimant
Matthew Graves

2
3
4
5
6
7 **ORDER**

8 SO ORDERED this 21st day of October, 2013

9
10 
11 HON. MAXINE M. CHESNEY
12 UNITED STATES DISTRICT JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28